

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

V.

CRIMINAL NO.: 1:14CR18-HSO-RHW

JASON RICHARD WOODCOCK

**ORDER ADOPTING REPORT AND RECOMMENDATION WITH
PROPOSED FINDING OF FACTS FOR DETERMINATION OF
DEFENDANT'S COMPETENCY**

BEFORE THE COURT is the Report and Recommendation with Proposed Finding of Facts for Determination of Defendant's Competency [34] of United States Magistrate Judge Robert H. Walker. Defendant Jason Richard Woodcock has filed a Notice of Consent and Waiver of Appeal [35], indicating that he has no objection to the Magistrate Judge's finding and recommendation.

On July 19, 2014, the Court entered an Order for psychiatric or psychological evaluation of Defendant pursuant to 18 U.S.C. §§4241, 4242, and 4247. Defendant was examined by Dr. Beverly Smallwood, Ph.D., whose report was introduced as evidence under seal at the October 15, 2014, competency hearing held by the Magistrate Judge. Dr. Smallwood concluded in the report that Defendant is completely competent to stand trial, that he was not insane at the time of alleged federal offenses, and that his mental condition did not and does not bear upon the issue of guilt. Defendant has advised the Court that he agrees with, and does not contest, the findings of Dr. Smallwood's report.

The Court finds that the Magistrate Judge properly recommended that

Defendant is not presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense; that he was sane at the time of the offense; that he was able to appreciate the nature, quality and wrongfulness of the actions in question; and that he is competent to stand trial in this cause. The Court therefore finds that the Report and Recommendation with Proposed Finding of Facts [34] should be adopted as the finding of this Court, and the Court hereby finds that Defendant Jason Richard Woodcock is competent to stand trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED, that the Report and Recommendation with Proposed Finding of Facts for Determination of Defendant's Competency [34] of United States Magistrate Judge Robert H. Walker entered on October 16, 2014, is adopted as the finding of this Court.

SO ORDERED AND ADJUDGED, this the 17th day of October, 2014.

s/ Halil Suleyman Ozerden

HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE